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NORTH KERN WATER STORAGE DISTRICT

July 13, 2017

BY EMAIL – CentralValleyFresno@waterboards.ca.gov; Joshua.Mahoney@waterboards.ca.gov

Mr. Joshua Mahoney
Central Valley Regional Water Quality Control Board
1685 E Street
Fresno, CA 93706

Subject: Tentative Order Amending Waste Discharge Requirements Order R5-2015-0127 for California Resources Corporation and North Kern Water Storage District Oil Field Produced Water Reclamation Project

Dear Mr. Mahoney:

North Kern Water Storage District (District) generally supports the proposed subject amendment which implements the policies of the Basin Plan for the discharge of oil field produced water to the District's Lerdo Canal and Rosedale Basin. However, the District is concerned that the proposed modification to Discharge Specification C.9 which states that "the Lerdo Canal and Rosedale Basin *shall be free of oil or effectively netted to preclude the entry of wildlife*" (emphasis added), and particularly that the term "free of oil" is ambiguous, and subject to varied and potentially inconsistent interpretations. The District requests that this term be defined in a more quantitative, objective way so as to reduce uncertainty with respect to compliance.

The term "free of oil" could be interpreted to mean the absence of non-aqueous phase liquid (NAPL), which may occur, for example, as visible droplets, or as an oil/water emulsion. The term "free of oil" could also be interpreted to mean the absence of dissolved-phase oil constituents. This interpretation would be inconsistent with other provisions of Waste Discharge Requirements Order R5-2015-0127, which allow for discharge of treated oil-field produced water from CRC to the District with a daily maximum concentration of Oil and Grease of up to 35 milligrams per liter (mg/L). Since the presumed intent of the language is to protect waterfowl and other biota, we suggest that *visible accumulations of non-aqueous phase liquids* are the primary concern driving the amendment. Thus, the District requests that the proposed language be modified to state "*Specifically, ponds shall be free of visible accumulations of non-aqueous phase liquid (NAPL) petroleum.*" Such a change would reduce ambiguity and compliance uncertainty.

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Thank you for the opportunity to provide comments on the proposed permit amendment.

Respectfully submitted,



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